

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

HOWARD PRETENDS EAGLE,

Plaintiff,

v.

Civ. 06-5072-KES

SEDGWICK CLAIMS MANAGEMENT
SERVICES, INC. and
FIRST NATIONS COMPENSATION
PLAN, INC.,

Defendants.

**STIPULATION OF DISMISSAL WITHOUT PREJUDICE OF
PLAINTIFF'S COMPLAINT AND FIRST AMENDED COMPLAINT**

Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), the parties stipulate that all Counts and claims that were or could have been alleged in Plaintiff's Complaint and First Amended Complaint shall hereby be dismissed, without prejudice, with each party to bear its own costs and attorney fees. This stipulation does not affect plaintiff's rights to continued benefits under the policy, a matter not before the Court.

Dated: June 8, 2007.

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Dated: June 8, 2007.

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